

## MINUTES

### RILEY COUNTY BOARD OF ZONING APPEALS

**Monday, February 11, 2008  
1:30 p.m.**

**Riley County Office Building  
Second Floor Meeting Room**

Members Present:     Derek Mosier – Chair  
                               Bob Buchanan – Vice-chair

Members Absent:     Tom Finney

Staff Present:         Bob Isaac – Planner  
                               Destynnee Brannon – Clerical Assistant

Others Present:       Leon Hobson, Riley County Engineer, Ken & Cathy Scroggs, petitioners and owners, Chuck & Dianna Orona, Greg Gauer, Jeff Schurle and Tom Lindquist - interested parties.

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The minutes of the January 28, 2008 meeting were approved.

#### **SCROGGS – CONDITIONAL USE** - (*100 X 200 FT. INDOOR RIDING ARENA*)

Derek Mosier, Chairman, opened the public hearing at the request of Ken & Cathy Scroggs, petitioners and owners, for a conditional use authorization to permit a 100 x 200 ft. indoor riding arena, by asking if there was a motion to take petition #08-04 from the table.

Bob Buchanan motioned to bring the item from the table.

The motion was seconded by Derek Mosier. The motioned carried 2-0.

Bob Isaac, Planner, presented the staff report which included the background of the subject property. Mr. Isaac stated that the applicant not only wishes to continue the existing use of the property as a home site, but also utilize the site to relocate the Hope Ranch Therapeutic Riding Center, that will include a small horse boarding operation and a new indoor equestrian riding facility.

Staff recommended approval of the request for a conditional use to permit a 100 x 200 foot indoor riding arena, subject to the following conditions:

1. The primary hours of operation for the indoor arena shall be limited to the hours of 6:00 am to 10:00 pm.
2. Adequate parking shall be provided and limited to on-site parking areas only, with adequate room for maneuvering.
3. Sanitary measures be taken for stalls as follows:

- a. stalls shall be cleaned daily; and
- b. a Manure Disposal Plan shall be submitted and approved by the Riley County Zoning Enforcement Officer.
4. Glare from exterior illumination of the establishment shall be primarily contained by using directional lighting or alternative methods.
5. Business signs advertising the establishment shall meet the minimum requirements of the Riley County Zoning Regulations.
6. The indoor riding arena shall be limited to the use of the owners and patrons of the facility.
7. No tournaments, rodeos, or large-scale competitions that will generate more traffic than proposed shall be permitted.
8. The arena shall provide adequate restroom facilities.
9. Trash receptacles shall be provided and maintained to avoid problems with litter and rodent infestation.

The Board had no questions for Mr. Isaac.

Leon Hobson, Riley County Engineer, attended the meeting to explain and answer any questions the Board had pertaining to W. 69<sup>th</sup> Avenue. Mr. Hobson stated that Riley County is going to take over part of W. 69<sup>th</sup> Avenue, the extent of which would be determined based on whether the current proposals were approved or denied. Mr. Hobson stated that once the County took over maintenance responsibilities of the road, an evaluation would need to be completed to determine if any improvements were needed, include widening, dust control, and proper signage, etc.

Bob Buchanan asked the petitioners if they wanted to speak on behalf of the request.

Ken Scroggs, petitioner, stated that they have been running Hope Ranch Therapy Center on Tuttle Creek Boulevard and that the idea was to move the facilities to the proposed site in order to keep the site open year around. Mr. Scroggs presented a video regarding Hope Ranch and explained that because HOPE Ranch is a non-profit organization, Dry Creek Equestrian center will help fund the buildings needed for Hope Ranch.

Derek Mosier asked if anyone had any questions or comments for or against the request.

Tom Lindquist, 1000' owner, had concerns regarding overgrazing of the property, resulting in increased stormwater run-off onto surrounding property, resulting in erosion and unsightly, poorly managed land. Mr. Lindquist read into record a letter he presented to the Board and staff opposing the request.

Diane Orona, 1000' owner, stated she had similar concerns and additional concerns regarding the safety of the road. Mrs. Orona read into record a letter along with attached documents that she presented to the Board and staff.

Greg Grauer, 1000' owner, also had some concerns. Mr. Grauer asked questions pertaining to keeping the proposed site from becoming a dry lot.

Derek Mosier asked the Board if they had any comments or questions.

No one had any questions.

Mr. Mosier closed the public hearing.

Mr. Mosier asked if there was a motion to approve the request.

Bob Buchanan moved to approve the request of Ken & Cathy Scroggs, petitioners and owners, for a conditional use authorization to permit a 100 x 200 ft. indoor riding arena subject to the following conditions:

1. The primary hours of operation for the indoor arena shall be limited to the hours of 6:00 am to 10:00 pm.
2. Adequate parking shall be provided and limited to on-site parking areas only, with adequate room for maneuvering.
3. Sanitary measures be taken for stalls as follows:
  - a. stalls shall be cleaned daily; and
  - b. a Manure Disposal Plan shall be submitted and approved by the Riley County Zoning Enforcement Officer.
4. Glare from exterior illumination of the establishment shall be primarily contained by using directional lighting or alternative methods.
5. Business signs advertising the establishment shall meet the minimum requirements of the Riley County Zoning Regulations.
6. The indoor riding arena shall be limited to the use of the owners and patrons of the facility.
7. No tournaments, rodeos, or large-scale competitions that will generate more traffic than proposed shall be permitted.
8. The arena shall provide adequate restroom facilities.
9. Trash receptacles shall be provided and maintained to avoid problems with litter and rodent infestation.
10. The existing south entrance and access drive must be widened to 24 feet. Entrance must have 25 – 30 foot radius.
11. Gate setback 70 feet north of north right-of-way line of West 69<sup>th</sup> Street.
12. Current storm water drainage patterns shall not be altered as a result of the proposed development as to negatively impact surrounding properties.

Bob Buchanan seconded. The motion carried 2-0.

**SCROGGS – CONDITIONAL USE** – (*HORSE BOARDING FACILITY*)

Derek Mosier, Chairman, opened the public hearing at the request of Ken & Cathy Scroggs, petitioners and owners, for a conditional use authorization to permit a horse boarding facility in Zone “G-1” (General Agricultural) (Pet. #08-03).

Bob Isaac, Planner, presented the staff report, which included the background of the subject property. Mr. Isaac explained that the details of the site were the same as Pet. #08-03.

Staff recommended that the requested conditional use be approved subject to the conditions listed in the staff report.

The Board had no questions for Mr. Isaac.

Mr. Mosier closed the public hearing.

Mr. Mosier asked if there was a motion to approve the request.

Bob Buchanan moved to approve the request of Ken & Cathy Scroggs, petitioners and owners, for a conditional use authorization to permit a horse boarding facility in Zone “G-1” (General Agricultural) subject to the following conditions (modified from the staff report):

1. Supervised horse boarding and training facility limited to a maximum of 25 horses boarded between stalls, paddocks, dry lot and pasture.
2. The primary hours of operation shall be limited to the hours of 6:00 AM to 10:00 PM.
3. Adequate parking shall be provided and limited to on-site parking areas only, with adequate room for maneuvering.
4. Sanitary measures be taken for stalls as follows:
  - a. Stalls shall be cleaned daily; and
  - b. A Manure Disposal Plan shall be submitted and approved by the Riley County Zoning Enforcement Officer, including a composting system.
5. Glare from exterior illumination of the establishment shall be primarily contained to the site by the use of directional lighting or alternative methods.
6. Business signs advertising the establishment shall meet the minimum requirements of the Riley County Zoning Regulations.
7. Dry lot(s) must be located on the site in a way that will minimize manure from entering the watershed.

Derek Mosier seconded. The motion carried 2-0.

Bob Buchanan motioned to adjourn. Derek Mosier seconded. Motion carried 2-0.

The meeting was adjourned at 4:15 p.m.